

# YELLOWSTONE RIVER CONSERVATION DISTRICT COUNCIL

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CONSERVATION DISTRICT MEMBERS: Carbon, Custer, Dawson, Park, Prairie, Richland, Rosebud, Stillwater, Sweet Grass, Treasure, Yellowstone, McKenzie County North Dakota, RAC Chairman

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## Meeting Minutes -- January 18, 2007

MSU-Billings College of Business – Room 163

**Members Present:** Paul Gilbert, Sweet Grass CD; Tony Barone, Richland CD; Don Youngbauer, Rosebud CD; Phil Fox, Treasure CD; Gay Easton, Yellowstone CD; Dave Schwarz, Prairie CD; Kenny Nemitz, Dawson CD; Steve Story, Stillwater CD; Will Alexander, Carbon CD; Walter Rolf, Custer CD; Luther Waterland, MACD; John Moorhouse, RAC Chairman and Orvin Finsaas, McKenzie ND, CD.

**Others Present:** Warren Kellogg, NRCS/TAC; Burt Williams, TNC/RAC; George Jordan, USFWP; Mike Penfold, YRF; Robert Lubbers, YRF; Dale Vermillion, RAC; John Franklin, RAC; Richard Cayko, RAC; Jerry Nypen, Lower Yellowstone Irrigation Project; Pat Riley, DNRC; Laurie Zeller, DNRC; David Pratt and Larry Murphy, DNRC; Arthur Gehmert, RAC; Boris Krizek, RAC; Greg Johnson and Becky Latka, COE; Brad Schmitz and Ken Frazer, MT FWP; Susan Gilbertz, MSU-Billings; Nicole McClain, YRCDC Coordinator; Laurie Kelley, Rosebud CD; Kelly Gilbertson, Project Assistant, and Carol Watts, Custer CD Administrator.

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Chairman Don Youngbauer called the meeting to order at 10:05 pm on Thursday, January 18, 2007. Introductions were made. The first order of business was awarding an appreciation plaque and certificate to Dave Schwarz for his outstanding work serving as the interim coordinator for the Council.

### **Business meeting:**

Treasurer's report was given by Carol Watts. The financial statement shows all the activity in the account since the last meeting and the grant statement shows where we are with the grants. Paul Gilbert made a motion to accept the financial reports, Dave Schwarz seconded and the motion carried by voice vote. The reports were filed for audit.

Minutes of the November 16, 2006 meeting at Fort Keogh were reviewed. John Moorhouse made a motion to accept the minutes, Paul Gilbert seconded and the motion carried by voice vote.

**Russian Olive discussion:** At the November meeting there was a question on what stance the YRCDC should take concerning Russian Olive trees as an invasive species in the riparian area. Warren Kellogg said there had been grants written to do demonstrations on controlling these trees as well as salt cedar. Warren felt that the Cumulative Effects effort needs to consider the impacts of Russian Olive infestations. Kenny Nemitz commented that people in areas away from the river did use the Russian Olive trees in shelterbelts and windbreaks. He wondered if there was a way to just restrict them on the river. Will Alexander did not think that was possible, if they are listed on the invasive species list it would apply to all areas. Will also stated that we should go through our local weed boards. Phil Fox agreed, and commented that our role is to study the trees and their effect on the river. Warren said it is important to consider what the current effects of the Russian Olive trees are and project into the future what the potential impacts will be if they are left unchecked. This will be further discussed as best management practices are developed. After some discussion the members felt that the RAC should also become involved. Mike Penfold and Robert Lubbers both agreed that the trees need to be controlled. There will be more discussion at future meetings. Warren did comment that since Russian Olive is not listed as a noxious weed it is harder to get grant funding to control them. He also felt more information needs to be gathered before the Council can make any decisions. Kenny Nemitz thinks that a lot of private landowners will be willing to control Russian Olive on their own property.

Warren is going to schedule a TAC meeting February 14, 2007. The next meeting of the Council will be February 15, 2007. Agenda ideas are a TAC update, update on the fishing site cleanup, more discussion on Russian Olive trees, COE budget and follow up on the Yellowstone Center. Mike Penfold said the YRF would give an update on the recreational / historical initiative they are working on for the Yellowstone River. John Moorhouse said there could be a briefing on a presentation that could be given to communities along the river.

At this time Greg Johnson did give a brief update on the COE budget. He thinks that the '06-'07 budget will stay the same at \$396,000.00. The President's FY'08 budget is 200,000.00. Greg does not know what the restrictions will be.

Greg also commented that the Helena Regulatory office has taken over the upper river cumulative effects work that was done in Park County. Mike Gilbert has wrapped up his part of the work and turned it over to Alan Steinle and Todd Dlinger to proceed with the public process of developing a Special Area Management Program (SAMP). Greg encouraged the Council to send Don Youngbauer and Nicole McClain. This is to discuss whether there will be a special area management plan implemented on the upper river.

Bob Hector was attending the Winter Grazing Seminar in Harlowton and was not available to speak about the fishing site cleanup. This will be on the February agenda. There is an information page on the clean-up in Nicole's coordinator report.

Don Youngbauer said at the Montana Association of Conservation Districts meeting there was discussion about putting on education programs involving different river basins. They wanted to know if the YRCDC would be interested in participating in a program on the Yellowstone River. The idea would be to use people at the state level to learn how to put on a media event or how to put on an outreach educational program. No action was taken.

**Coordinator Report:** Nicole McClain, coordinator for the Council handed out a report of her activities as of January 18, 2007. She has attended conservation district meetings and the MWCC Watershed Symposium. She attended the Legislative dinner in Helena.

Nicole updated the Council on grants saying that the 319 grant funds have been expended and that she would be working on the final report. The EPA Targeted Watershed grant application was deemed ineligible due to a technicality. Award notification is pending on the National Fish & Wildlife Foundation grant application for a salt cedar and Russian Olive Demonstration plot. Nicole hopes to use the information in the EPA application to apply for the NRCS Conservation Innovation Grant for Lidar topographic mapping.

Nicole testified in Helena on January 17, 2007 in support of Rick Ripley's HB116, a bill for an act entitled; "An Act generally revising Resource Indemnity Trust and Ground Water Assessment Laws."

The YRCDC Fact Sheet has been updated.

Concerning the Yellowstone River Clean up, Nicole said they were seeking project sponsors to fund a day or a week of the project. The cost for a day is \$440.00. Once letters of commitment are in a 223 grant could be applied for. Will Alexander made a motion to apply for this grant, Paul Gilbert seconded and the motion carried by voice vote. The information is available in the handout Nicole provided.

Nicole requested to attend a workshop in Bozeman on "Getting Your Feet Wet with Social Marketing: Changing Behavior in Your Watershed." Cost is \$15.00. Don Youngbauer said that Nicole should go. No one disagreed and it was approved by consensus.

Liz Galli-Noble has requested that the YRCDC become a clearing house for the information gathered by the Upper River Task Force. Nicole plans to meet with her to get more information. Warren Kellogg felt that some of the information would be useful to the CES study as long as it is housed in the Yellowstone Basin. Pat Riley, DNRC said he thought storage room would be available.

The YRCDC is scheduled to testify in Helena February 2, 2007 before the Natural Resources and Commerce Appropriations Subcommittee defending DP 2307 requesting an increase in state special revenue of \$40,000.00 per year to pay for Yellowstone River Council expenses. Don Youngbauer will go to Helena as will Paul Gilbert. Mileage and meals will be paid for.

Nicole handed out a budget she had been working on. She spent January 2<sup>nd</sup> in the Custer CD office getting information and also had help from Laurie Zeller. Nicole asked for comments and suggestions on the layout as it is a work in progress.

There is a proposal for a Montana Federal Relations Office in Washington DC and the YRCDC has been asked to provide letters of support. There is a copy of a letter written by Jane Holzer, Program Director of the Montana Salinity Control Association included in the packet Nicole handed out. Conservation Districts are encouraged to respond. Luther commented that the MACD office is supporting the establishment of this office. Will Alexander raised some questions, and Nicole offered to bring more information to the next meeting.

Nicole said that the office space in Billings is part of the match for the RDGP grant and she has requested to have the use of it. Pat Riley, DNRC explained that it was being used by their Oil and Gas person but that when a remodeling job gets completed the office will be available again. In the meantime Nicole's office is set up as a cubicle.

Nicole also requested reimbursement for supplies used in the satellite office for products that would become the property of the YRCDC. This was approved by the Council. A request for reimbursement on a portion of the cell phone bill was suggested up to \$75.00 per month as long as funds are available. There was no disagreement and approval by consensus was reached.

Don Youngbauer questioned whether Nicole must hold her work hours to 40 and that was confirmed by both Laurie Zeller and Walter Rolf. Kelly Gilbertson has hours that can be used.

Pat Riley suggested that Nicole should attend the grant writing workshop that is coming up in April. Cost is approximately \$700.00. Pat Riley will get the information to Nicole. Warren Kellogg agreed it would be a good investment.

**TAC update:** Warren noted that requests for TAC members to speak at various functions are becoming more common. Susan Gilbertz has already participated in a Billings radio show. Warren wondered if the Council would like to be notified prior to these presentations occurring. Warren agreed to inform the Council when these presentations have been requested and what the topics will be. He also encouraged participation by Council members whenever possible so they can provide firsthand insight on the Council's objectives for doing the cumulative effects work.

The next TAC meeting will cover the work being done on channel migration zone mapping. Warren encouraged Council members to attend if they have time.

Warren plans to attend meetings at all the conservation districts in the Yellowstone Basin to discuss the 2006 field work, upcoming 2007 field work, and preparation for the riparian fieldwork this summer.

John Moorhouse and Kelly Gilbertson will be starting to compile the Government Land Office (GLO) survey notes that accompany the GLO maps. This information is housed at the BLM office in Billings.

**Intake Diversion Panel Discussion:** Warren Kellogg had asked George Jordan to organize and moderate the Intake Diversion Panel discussion. George Jordan introduced:

Brent Esplin – BOR

Brad Schmitz – FW&P

Susan Camp - BOR

George Jordan – USFWS

Greg Johnson - COE

Representatives from the US Bureau of Reclamation, Montana Fish Wildlife and Parks, US Fish and Wildlife Service, US Army Corps of Engineers presented an overview of the Intake Fish Passage and Entrainment project. This presentation discussed the relevance of this project, gave a brief Endangered Species Act overview, discussed Bureau of Reclamation compliance with the Endangered Species act, provided available entrainment data for pallid sturgeon and other native fish species, presented data relative to pallid sturgeon stocked above Intake Dam and their movements, current available data regarding pallid sturgeon larval drift, the processes of the Bureau's Value Engineering study, preliminary design considerations, the 10% design, biological review of those designs, and proposed implementation schedules." After the panel discussion, there were several questions regarding alternatives being considered. There was also a discussion on the potential role of the YRCDC. Liz Ching from Baucus's office was present and commented that support from the Council would help in securing funding. No action was taken at this time. The Council felt that more input from the local irrigators was needed as well as more information on design alternatives.

**Other Discussion:** Luther Waterland announced that he and David Pratt would be attending the NACD meetings in LA in early February.

**Public Comment:** There was no public comment. The meeting adjourned at 3:35 pm.

Respectfully submitted,

Carol Watts, CCCD Administrator